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REMARKS

In accordance with above amendments, claim 65 has been amended. Thus, claims 51-53, 55-57 and 65-66 remain under consideration in this application. No claim has been allowed.

It is believed that the amendments to claim 65 overcome the rejections under 35 USC § 112, second paragraph, raised in the present Office Action. It is believed that the changes to the claims are clearly supported in the specification. For example, see page 6, line 19 through page 7 line 22 and in the drawings Figures 1 and 2 which indicate clearly the low profile of the lift and dump mechanism when lifted. Note that the container must be emptied through the side opening in the truck body.

Thus support for the claim language must be inferred.

The amendments to claim 65 together with earlier explanation of specific differences render the remaining claims patentable with respect to the combination of art cited and items 5 and 6 of the present Action. It is believed that the teachings of these references would not lead one of ordinary skill in the art to the specific design arrangement claimed.

Particularly, it is noted with regard to the use of a rotary actuator in combination with a one piece curved arm (or arms) handling system that enables the mechanism to accomplish the complete lift and dump cycle of a grasped container based on the operation of a single rotary actuator. This clearly cannot

be accomplished, for example, with the design of Sizemore et al. '576 in which the rotary actuator is but a small part of a far different and more complicated mechanical system. None of the mechanisms shown in the references approach the simplified construction of that claimed in the present application. Although Christensen '628 indicates that the mechanized apparatus may be of "any variety", that does nothing to teach the presently claimed device.

The mechanical container handling system of the present invention clearly involves more than any combination suggested by the references as it is a new and much simplified mechanism.

Accordingly, reconsideration, withdrawal of the remaining rejections and allowance of the remaining claims is respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

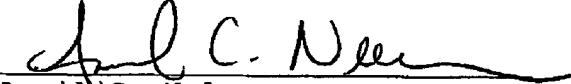


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CERTIFICATE OF FACSIMILE

I hereby certify that the foregoing Amendment in response to the Final Official Action mailed November 20, 2006, in application Serial No. 09/844,843, filed on April 27, 2001, of Claudiu D. Pruteanu et al, entitled "AUTOMATED LOADER ARM", and a transmittal letter are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 19, 2007.


April C. Nelson
On Behalf of C. G. Mersereau

Date of Signature: January 19, 2007